APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
08/419,229	04/10/95	THRIFT F	TI 20206

E6M1/1113

RUBEN C DELEON
TEXAS INSTRUMENTS INCORPORATED
P O BOX 655474 MS 219
DALLAS TX 75265

	EXAMINER
	CHAWAN, V

ART UNIT	PAPER NUMBER
2308	

DATE MAILED: 11/13/97 12

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

See the attached examiner's answer

VSC

1- File Copy

MAILED

NOV 1 3 1997

GROUP 2300

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Paper No. 12

Application Number: 08/419,229
Filing Date: 4/10/95
Appellant(s): Thrift et al.

Ronald O. Neerings
For Appellant

EXAMINER'S ANSWER

This is in response to appellant's brief on appeal filed 9/9/97.

(1)   *Real Party in Interest*

A statement identifying the real party of interest is contained in the brief.

(2)   *Related Appeals and Interferences*

A statement identifying the related appeals and interferences which will directly affect or be directly affected by or have a bearing on the decision in the pending appeal is contained in the brief.

(3)   *Status of Claims*

The statement of the status of the claims contained in the brief is correct.

(4)   *Status of Amendments After Final*

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(5)   Summary of Invention

The summary of invention contained in the brief is correct.

(6)   Issues

The appellant's statement of the issues in the brief is correct.

(7)   Grouping of Claims

The examiner agrees that claims 1-4 stand or fall together, and claims 5-19 stand separately.

(8)   Claims Appealed

The copy of the appealed claims contained in the Appendix to the brief is correct.

(9)   Prior Art of Record

The following is a listing of the prior art of record relied upon in the rejection of claims under appeal.

5,333,237   Stefanopoulos et al.

Schmandt et al., "Augmenting a Window System with Speech Input", Computer Magazine, 8/90, Vol.23, Issue 8, pages 50-56.

(10) New Prior Art

No new prior art has been applied in this examiner's answer.

(11) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claims 1-19 are rejected under 35 U.S.C. 103. This rejection is set forth in prior Office action, Paper Nos.4 and 7 .

This examiner's answer does not contain any new ground of rejection.

(13) Response to argument

Appellants' arguments filed 9-9-97 have been fully considered, but they are not persuasive.

On page 4, paragraphs 1-3, applicant merely recites the claim language. In paragraph 4, Applicants argue that Stefanopoulos et al., reference does not teach a voice activated hypermedia system with a speech user agent, a network browsing module, and an information resource located on a computer network as in claims 1,11 and 14. Applicant argues that Schmandt et al., do not teach or suggest the use of speech in a network environment. Examiner disagrees. Schmandt et al., do use speech to navigate in a windows environment across workstations. An artisan with ordinary skill in the art would recognize that the workstations are routinely interconnected to be able to access the software.

Schmandt uses speech to navigate in an workstation environment, which has a common server.

Therefore, it would have been obvious to one of ordinary skill in the art at the time invention was made, that by the method of using speech to navigate in a windows environment, with several workstations interconnected to a common server as taught by Schmandt et al.,and incorporating it into the hypermedia structured knowledge base system as taught by Stefanopoulos et al., an artisan would readily recognize that one would be able to obtain a speech interface to the Web or the Internet that allows easy access to information on the Web by reducing manual intervention, i.e., the use of keyboard, and a system that is user friendly.

In response to applicant's argument that the examiner's conclusion of obviousness is based upon improper hindsight reasoning, it must be recognized that any judgment on obviousness is in a sense necessarily a reconstruction based upon hindsight reasoning. But so long as it takes into account only knowledge which was within the level of ordinary skill at the time the claimed invention was made, and does not include knowledge gleaned only from the applicant's disclosure, such a reconstruction is proper. *In re McLaughlin*, 443 F.2d 1392; 170 USPQ 209 (CCPA 1971).

As per claims 2-4, the rationale is same as discussed above.

As per claim 5, applicants argue that the cited references do not teach a

hypermedia resource as a HTML page, one with ordinary skill in the art would instantly know that a HTML page is a well known hypermedia resource.

As per claim 6, applicants argue that the cited references do not teach an instructional module for communicating allowed actions by a user, one with ordinary skill in the art would instantly know that the use of instructional module or a Help function is a well known method of guiding and letting a user know the allowable actions.

As per claim 7, applicants argue that the cited references do not teach embedded grammar is a smart page grammar, one with ordinary skill in the art would instantly know that smart page grammar is a known form of embedded grammar and an artisan would recognize that it is inherent in the hypermedia system taught by Stefanopoulos et al.

As per claim 8, applicants argue that the cited references do not teach the location of embedded grammar in an information resource, one with ordinary skill in the art would instantly know that an information resource is a known location to store needed information, and it is logical to store embedded grammar in such a location for easy access.

As per claim 9, applicants argue that the cited references do not teach dynamically adding grammar to a speech recognizer, one with ordinary skill in the art would instantly know that adding grammar dynamically to a speech recognizer increases the capabilities of the speech recognizer, and is inherent in a speech

recognizer.

As per claim 10, applicants argue that the cited references do not teach actions coming from a speech recognizer, one with ordinary skill in the art would instantly know that the speech recognizer taught by Schmandt et al., does show various actions dependent from a speech recognizer.

As per claim 12, applicants argue that the cited references do not teach means for tokenizing a title for addition into said grammar, Schmandt et al., do teach tokenizing or the use of labels or templates to be added into the speech recognizer. An artisan would recognize that the title or labels would increase the accessability of the speech recognizer.

As per claim 13, applicants argue that the cited references do not teach dynamically adding grammar to a speech recognizer, one with ordinary skill in the art would instantly know that adding grammar dynamically to a speech recognizer increases the capabilities of the speech recognizer, and is inherent in a speech recognizer.

As per claim 15, applicants argue that the cited references do not teach means for recognizing sentences from said grammar to follow said links to said information resource, an artisan would recognize that the recognition of speech is the primary function of a speech recognizer, and the use of a speech recognizer in a hyper media environment as discussed above in regards to claim 14, an artisan would recognize that since the needed information is located in an information

resource, that one can follow the necessary links to the information resource to perform to the necessary action.

As per claim 16, applicants argue that the cited references do not teach dynamically adding grammar to the system, one with ordinary skill in the art would instantly know that adding grammar dynamically to a speech recognizer increases the capabilities of the speech recognizer, and is inherent in a speech recognizer.

As per claim 17, applicants argue that the cited references do not include word pronunciations, one with ordinary skill in the art would instantly know that word pronunciations are inherent in a speech recognizer.

As per claim 18, applicants argue that the cited references do not teach means for tokenizing a title for addition into said grammar, Schmandt et al., do teach tokenizing or the use of labels or templates to be added into the speech recognizer. An artisan would recognize that the title or labels would increase the accessability of the speech recognizer.

As per claim 19, applicants argue that the cited references do not include means for a dictionary lookup. The use of dictionary lookup, or a lookup table is known in the art to access information, and is contained in the information resource.

(14) *Period of Response to New Ground of Rejection*

In view of the new ground of rejection, appellant is given a period of TWO

Art Unit: 2308

MONTHS from the mailing date of this examiner's answer within which to file a

reply to such new ground of rejection. The reply may include any amendment or

material appropriate to the new ground of rejection. Prosecution otherwise

remains closed. Failure to respond to the new ground of rejection will result in

dismissal of the appeal of the claims so rejected.

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

Vijay Chawan

11/1/97

ALLEN R. MACDONALD
SUPERVISORY PATENT EXAMINER
ART UNIT 2308